

AMENDED IN ASSEMBLY JUNE 30, 2016

AMENDED IN ASSEMBLY JUNE 20, 2016

AMENDED IN SENATE MAY 31, 2016

AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1398

Introduced by Senator Leyva

February 19, 2016

An act to add Section 116885 to the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1398, as amended, Leyva. Public water systems: lead-pipes-*service lines*.

Existing law requires public water systems to take specified actions to test for and remediate certain contaminants in drinking water, including lead and copper. Existing law prohibits the use of any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption, except as specified.

This bill would require a public water system to compile an inventory of known lead-pipes *service lines* in use in its *distribution* system and identify areas that may have lead-pipes *service lines* in use in its *distribution* system by July 1, 2018. This bill would require a public water system, after completing the inventory, to provide a timeline for replacement of known lead-pipes *service lines* in the *distribution* system to the State Water Resources Control Board. This bill would require, by July 1, 2020, a public water system with areas that may have lead pipes *service lines* in use in its *distribution* system to either determine

the existence or absence of lead ~~pipes~~ *service lines* in these areas and provide that information to the ~~state~~ board or provide a timeline for replacement of ~~pipes~~ *the pipes, tubings, and fittings* whose content cannot be determined ~~to the state board~~. *that connect a water main to an individual water meter or service connection. This bill would require the board to approve a replacement timeline, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 116885 is added to the Health and Safety
2 Code, to read:
3 116885. (a) By July 1, 2018, a public water system shall
4 compile an inventory of known lead ~~pipes~~ *service lines* in use in
5 its *distribution* system and identify areas that may have lead ~~pipes~~
6 *service lines* in use in its *distribution* system.
7 (b) (1) After completing the inventory required pursuant to
8 subdivision (a), a public water system shall provide a timeline for
9 replacement of known lead ~~pipes~~ *service lines* in use in its
10 *distribution* system to the ~~State Water Resources Control Board~~.
11 *board*.
12 (2) By July 1, 2020, a public water system with areas that may
13 have lead ~~pipes~~ *service lines* in use in its *distribution* system shall
14 do either of the following:
15 (A) Determine the existence or absence of lead ~~pipes~~ *service*
16 *lines* in ~~these areas~~ *use in its distribution system* and provide that
17 information to the ~~State Water Resources Control Board~~. *board*.
18 (B) Provide a timeline *to the board* for replacement of ~~pipes~~
19 *pipes, tubings, and fittings* whose content cannot be determined
20 ~~to the State Water Resources Control Board~~. *that connect a water*
21 *main to an individual water meter or service connection.*
22 (c) *The board shall approve a timeline established pursuant to*
23 *subdivision (b) as follows:*
24 *(1) The board shall review a public water system's proposed*
25 *timeline for lead service line replacement and within, 30 days of*
26 *submission of the timeline to the board, do either of the following:*
27 *(A) Approve the proposed timeline.*
28 *(B) Deny the proposed timeline and propose a revised timeline*
29 *to the public water system. The board shall explain to the public*

1 *water system, in writing, why the public water system's timeline*
2 *was not approved, the factors that the board used to propose a*
3 *revised timeline, and why the board used those factors.*

4 *(2) If the board fails to act within 30 days of the submission of*
5 *the timeline, the timeline shall be deemed approved.*

6 *(3) If the public water system rejects the board's proposed*
7 *revised timeline, the public water system and the board shall*
8 *develop a compromise timeline within 30 days.*

9 *(4) An approved timeline or a compromise timeline shall be a*
10 *public record and available on the board's Internet Web site.*

11 *(e)*

12 *(d) For the purposes of this section, "public water system" has*
13 *the same meaning as provided in Section 116275. section:*

14 *(1) "Board" means the State Water Resources Control Board.*

15 *(2) "Lead service line" has the same meaning as in Section*
16 *64671.35 of Title 22 of the California Code of Regulations.*

17 *(3) "Public water system" has the same meaning as in Section*
18 *116275.*